

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
FAYETTEVILLE DIVISION

In Re:

**JAMES LINWARD NIXON AND ALICIA
ELANOR GREENIDGE-NIXON**

**CASE NO. 19-00961-5-JNC
CHAPTER 13**

Social Security No.xxx-xx-5562 and xxx-xx-9514
Address:3838 Marksbury Drive, Apt 103,Fayetteville, NC 28314-

Debtors

NOTICE OF OBJECTION TO CLAIM

The Debtors have filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to eliminate or change your claim, then on or before July 27, 2019, you or your attorney must file with the court, pursuant to Local Rule 9014-1, a written response, an answer explaining your position, and a request for hearing at:

U.S. Bankruptcy Court, P.O. Box 791, Raleigh, N.C. 27602.

If you mail your response to the court for filing, you must mail it early enough so that court will **receive** it on or before the date stated above.

You must also send a copy to:

Objector's Attorney's
Name & Address:

John T. Orcutt
Attorney
6616-203 Six Forks Rd.
Raleigh, N.C. 27615

Name & Address of
Others to be served:

Joseph A. Bledsoe, III
CHAPTER 13 TRUSTEE
Post Office Box 1618
New Bern, NC 28563

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the objection to claim at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

Dated: June 27, 2019

LAW OFFICES OF JOHN T. ORCUTT, P.C.

s/ Josh Hillin

Josh Hillin

Attorney for Debtors

N.C. State Bar No: 28288

6616-203 Six Forks Rd.

Raleigh, N.C. 27615

Telephone: (919) 847-9750

Fax: (919) 847-3439

Email: postlegal@johnorcutt.com

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Address:3838 Marksbury Drive, Apt 103,Fayetteville, NC 28314-

Debtors

OBJECTION TO CLAIM

NOW COMES the Debtors above-named, through counsel, who respectfully object to the proof of claim (Claim # **21** in the amount of **\$74,218.39**) ("claim") filed by the creditor **ISLANDCAP LLC** ("creditor) and dated May 28, 2019, for the following reasons:

Upon information and belief, the Debtors left while the home was in foreclosure and they are no longer in possession of the property.

WHEREFORE, the Debtors pray that the Court enter an Order determining the claim to be totally "unsecured".

Dated: June 27, 2019

LAW OFFICES OF JOHN T. ORCUTT, P.C.

s/ Josh Hillin

Josh Hillin

N.C. State Bar No: 28288

6616-203 Six Forks Road

Raleigh, N.C. 27615

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Fax: (919) 847-3439

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CERTIFICATE OF SERVICE

I, Charlene Ennemoser, certify under penalty of perjury that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age and that on June 27, 2019. I served copies of the foregoing **NOTICE OF OBJECTION** and **OBJECTION TO CLAIM** by regular first-class U.S. mail, addressed to the following parties:

ISLANDCAP LLC
Attn: Managing Agent
3611 South Harbor Boulevard
Suite 100
Santa Ana, CA 92704-

and by automatic electronic noticing upon the following Trustee:

Joseph A. Bledsoe, III
Chapter 13 Trustee

s/ Charlene Ennemoser

Charlene Ennemoser